



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Nicholas et al.

Examiner: Not Assigned

Serial No.: 10/642,918

Group: Art Unit 3731

Filed: August 18, 2003

Docket: 2156CON4(203-2287CON4)

Dated: November 20, 2003

For: ANASTOMOSIS INSTRUMENT AND METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

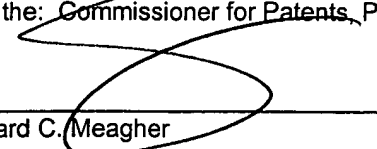
Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1-4 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. Copies of foreign references and publications listed on pages 5-6 of form PTO-1449 are enclosed.

Applicants would like to bring parent U.S. Application Serial No. 10/191,599 filed on July 8, 2002, to the Examiner's attention. A copy of this application is enclosed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 20, 2003.

Dated: November 20, 2003

  
Edward C. Meagher

Applicant would also like to bring commonly-owned PCT Application No. PCT/US01/02043 filed on January 18, 2001; U.S. Application No. 10/182,215 filed on July 25, 2002; U.S. Application No. 09/882,245 filed on June 14, 2001; U.S. Application No. 10/388,969 filed on March 14, 2003; PCT Application No. PCT/US01/32426 filed on October 18, 2001; U.S. Application No. 10/399,529 filed on April 15, 2003; PCT Application No. PCT/US02/00345 filed on August 1, 2002; U.S. Application No. 10/616,468 filed on July 9, 2003; U.S. Application No. 10/160,460 filed on May 31, 2002; and PCT Application No. PCT/US03/18295 filed on May 30, 2003 to the Examiner's attention. Copies of these applications are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

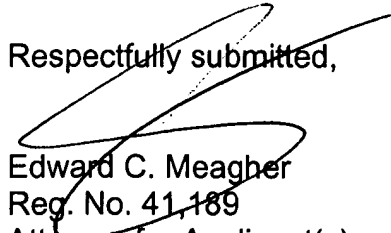
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.

- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. 50-2140.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor.
- TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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ECM/gm



Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)  
2156CON4(203-2287CON4)

Application Number  
10/642,918

Applicant  
Nicholas et al.

Filing Date  
August 18, 2003

Group Art Number  
3731

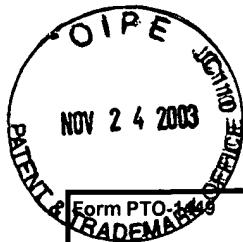
## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	3,232,089	2/1/66	P.B.SAMUELS ET AL.			
	3,366,301	1/30/68	R.F.MALLINA			
	3,519,187	7/7/70	N.N.KAPITANOV ET AL.			
	4,166,466	9/4/79	JARVIK			
	4,350,160	9/21/82	KOLESOV ET AL.			
	4,368,736	1/18/83	KASTER			
	4,872,874	10/10/89	TAHERI			
	4,930,674	6/5/90	BARAK			
	4,979,954	12/25/90	GWATHMEY ET AL.			
	5,025,779	6/25/91	BUGGE			
	5,188,638	2/23/93	TZAKIS			
	5,222,963	6/29/93	BRINKERHOFF ET AL.			
	5,234,447	8/10/93	KASTER ET AL.			
	5,282,810	2/1/94	ALLEN ET AL.			
	5,314,436	5/24/94	WILK			
	5,346,501	9/13/94	REGULA ET AL.			
	5,354,304	10/11/94	ALLEN ET AL.			
	5,366,462	11/22/94	KASTER ET AL.			
	5,403,333	4/4/95	KASTER ET AL.			
	5,403,338	4/4/95	MILO			
	5,425,738	6/20/95	GUSTAFSON ET AL.			
	5,431,668	7/11/95	BURBANK, III ET AL.			
	5,437,684	8/1/95	CALABRESE ET AL.			
	5,443,198	8/22/95	VIOLA ET AL.			
	5,452,733	9/26/95	STERMAN ET AL.			

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number (Optional) 2156CON4(203-2287CON4)	Application Number 10/642,918
	Applicant Nicholas et al.	
	Filing Date August 18, 2003	Group Art Number 3731

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,486,187	1/23/96	SCHENCK			
	5,669,918	9/23/97	BALAZS ET AL.			
	5,695,504	12/9/97	GIFFORD, III ET AL.			
	5,702,412	12/30/97	POPOV ET AL.			
	5,707,380	1/13/98	HINCHLIFFE ET AL.			
	5,709,335	1/20/98	HECK			
	5,732,872	3/31/98	BOLDUC ET AL.			
	5,797,934	8/25/98	RYGAARD			
	5,817,113	10/6/98	GIFFORD, III ET AL.			
	5,823,956	10/20/98	ROTH ET AL.			
	5,827,316	10/27/98	YOUNG ET AL.			
	5,833,698	11/10/98	HINCHLIFFE ET AL.			
	5,839,639	11/24/98	SAUER ET AL.			
	5,855,614	1/5/99	STEVENS ET AL.			
	5,881,943	3/16/99	HECK ET AL.			
	5,891,160	4/6/99	WILLIAMSON, IV ET AL.			
	5,904,697	5/18/99	GIFFORD, III ET AL.			
	5,916,226	6/29/99	TOZZI			
	5,944,730	8/31/99	NOBLES ET AL.			
	5,947,363	9/7/99	BOLDUC ET AL.			
	5,951,576	9/14/99	WAKABAYASHI			
	5,957,363	9/28/99	HECK			
	5,957,879	9/28/99	ROBERTS ET AL.			
	5,961,481	10/5/99	STERMAN ET AL.			
	5,964,782	10/12/99	LAFONTAINE ET AL.			
	5,971,973	10/26/99	PETERS			

Examiner	Date Considered
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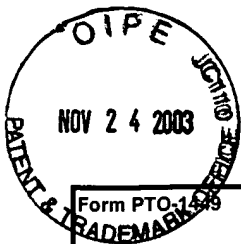
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Applicant Nicholas et al.		
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## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,972,030	10/26/99	GARRISON ET AL.			
	5,976,159	11/2/99	BOLDUC ET AL.			
	5,993,468	11/30/99	RYGAARD			
	6,015,416	1/18/00	STEFANCHIK ET AL.			
	6,024,748	2/15/00	MANZO ET AL.			
	6,030,395	2/29/00	NASH ET AL.			
	6,036,705	3/14/00	NASH ET AL.			
	6,056,762	5/2/00	NASH ET AL.			
	6,066,144	5/23/00	WOLF ET AL.			
	6,080,173	6/27/00	WILLIAMSON IV ET AL.			
	6,083,234	2/23/99	NICHOLAS ET AL.			
	6,110,187	8/29/00	DONLON			
	6,171,319	1/9/01	NOBLES ET AL.			
	6,171,321	1/9/01	GIFFORD, III ET AL.			
	6,176,413	1/23/01	HECK ET AL.			
	6,176,864	1/23/01	CHAPMAN			
	6,183,486	2/6/01	SNOW ET AL.			
	6,187,019	2/13/01	STEFANCHIK ET AL.			
	6,187,020	2/13/01	ZEGDI ET AL.			
	6,187,022	2/13/01	ALEXANDER, JR. ET AL.			
	6,190,397	2/20/01	SPENCE ET AL.			
	6,190,590	2/20/01	RANDALL ET AL.			
	6,193,734	2/27/01	BOLDUC ET AL.			
	6,197,042	3/6/01	GINN ET AL.			
	6,206,913	3/27/01	YENCHO ET AL.			
	6,231,506	5/15/01	HU ET AL.			

Examiner	Date Considered
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<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	<b>Docket Number (Optional)</b> 2156CON4(203-2287CON4)	<b>Application Number</b> 10/642,918
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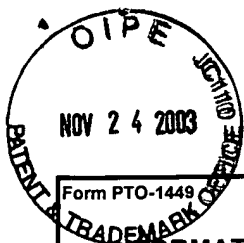
**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	6,234,995	5/22/01	PEACOCK, III			
	6,241,741	6/5/01	DUHAYLONGSOD ET AL.			
	6,241,742	6/5/01	SPENCE ET AL.			
	6,241,743	6/5/01	LEVIN ET AL.			
	6,248,117	6/19/01	BLATTER			
	6,253,984	7/3/01	HECK ET AL.			
	6,254,615	7/3/01	BOLDUC ET AL.			
	6,254,617	7/3/01	SPENCE ET AL.			
	6,280,460	8/28/01	BOLDUC ET AL.			
	6,332,468	12/25/01	BENETTI			
	6,338,712	1/15/02	SPENCE ET AL.			
	6,346,074	2/12/02	ROTH			
	6,350,252	2/26/02	RAY ET AL.			
	6,361,543	3/26/02	CHIN ET AL.			
	6,371,965	4/16/02	GIFFORD, III ET AL.			
	6,387,105	5/14/02	GIFFORD, III ET AL.			
	6,391,039	5/21/02	NICHOLAS ET AL.			
	6,401,721	6/11/02	MAGINOT			
	6,440,146	8/27/02	NICHOLAS ET AL.			
	6,443,965	9/3/02	GIFFORD III, ET AL.			
	6,450,390	9/17/02	HECK ET AL.			
	6,451,034	9/17/02	GIFFORD III, ET AL.			
	6,461,365	10/8/02	BOLDUC ET AL.			

<b>Examiner</b>	<b>Date Considered</b>
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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number (Optional) 2156CON4(203-2287CON4)		Application Number 10/642,918
Applicant Nicholas et al.		
Filing Date August 18, 2003	Group Art Number 3731	

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	DES 276,650	12/4/84	GREEN ET AL.			

## FOREIGN PATENT DOCUMENTS

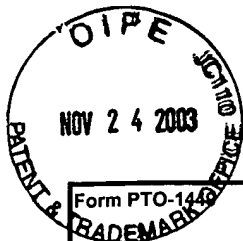
	Document Number	Date	Country	Class	Subclass	Translation	
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	WO88/01486	03/10/88	PCT				
	WO95/15715	06/15/95	PCT				
	WO95/17127	06/29/95	PCT				
	WO95/35065	12/28/95	PCT				
	WO97/40754	11/06/97	PCT				
	WO99/11178	03/11/99	PCT				
	WO00/69343	11/23/00	PCT				
	WO01/52748	07/26/01	PCT				
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	EPO 656191 A2	06/07/95	EPO				
	EPO 820724A	01/28/98	EPO				
	EPO 820725 B1	07/23/97	EPO				
	EPO 885595 A1	12/23/98	EPO				
	EP 1088519A	04/04/01	EPO				

## OTHER DOCUMENTS

	International Search Report - EPO 0120262
	International Search Report - EPO 97112634
	International Search Report - EPO 98110977
	International Search Report - EPO 99118064
	International Search Report - PCT/US01/02043

Examiner	Date Considered
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Docket Number (Optional)  
2156CON4(203-2287CON4)Application Number  
10/642,918**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(Use several sheets if necessary)

Applicant

Nicholas et al.

Filing Date

August 18, 2003

Group Art Number

3731

**OTHER DOCUMENTS**

t International Search Report PCT/US02/00345

r Information Booklet for: LIGACLIP, Ligating Clips, Appliers & Removers For security in Ligation,  
Ethicon, Inc., 1982r Information Booklet for: Deep Surgery Advantage-Dramatic New Access Plus Automatic-Feed in  
Vessel Ligation, Hemoclip ® automatic ligating clip system, Edward Weck & Company, Inc.Sep 1996v Information Booklet for: Auto Suture® Premium Surgliclip™ Titanium disposable automatic clip appliers,  
United States Surgical Corporation, 1981.

Examiner

Date Considered

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